IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JACKY STEWART and BRANDY ANDERSON, individually, and on behalf Of all others similarly situated,

Plaintiffs,

v.

FLOWERS FOODS, INC., FLOWERS BAKING CO. OF BATESVILLE, LLC, and AMBASSADOR PERSONNEL, INC.,

Defendant.

Case No. 1:15-cv-01162

JURY DEMAND
FLSA COLLECTIVE ACTION

PLAINTIFFS' MOTION FOR APPROVAL OF 29 U.S.C. § 216(b) NOTICE AND CONSENT FORMS AND TO ORDER DISCLOSURE OF CURRENT AND FORMER EMPLOYEES

Come now the Plaintiffs, by and through counsel of record, and move this Honorable Court to: (1) Authorize this case to proceed as an opt-in collective action for violations under the Fair Labor Standards Act of 1938 ("FLSA"), 29 U.S.C. § 216(b), on behalf of (a) the Distributor Group, consisting of numerous employees of the Flowers Defendants, which Plaintiffs allege were erroneously classified as independent contractors and denied proper compensation; (b) the Employee Group, consisting of numerous employees of Defendants, which Plaintiffs allege were regularly not paid for all of the hours they worked and regularly denied proper overtime compensation; (2) Issue an Order directing Defendants to immediately provide a list of names, last known addresses, and last known telephone numbers for (a) all alleged "independent contractors" of the Flowers Defendants within the last three years; and (b) all employees of the

Flowers Defendants hired through Defendant Ambassador within the last three years; (3) Issue an Order that notice be posted at Defendants' location(s), enclosed with each worker's next scheduled paycheck, and mailed to each worker so that they can assert their claims on a timely basis as part of this litigation; and (4) Order that the opt-in plaintiffs' Consent Forms be deemed "filed" on the date they are postmarked.

A Memorandum of Law supporting this Motion is filed contemporaneously herewith.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS AND OTHERS SIMILARLY SITUATED

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Memorandum was sent via the Court's electronic filing system to all counsel of record on this the 15th day of December, 2015.

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